

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ORIGINAL

JOHN M. LARKINS,

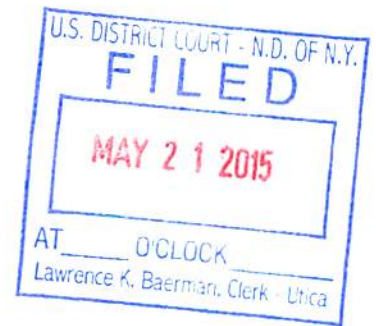
Plaintiff,

-vs-

1:13-CV-1442

JUSTIN ASHE, DOMINICK COMITALE, and
MARTIN FURCINITI,

Defendants.



VERDICT FORM

Defendant Justin Ashe

Dated: May 20, 2015.
Utica, New York.

Court's Exhibit No. 2

EXCESSIVE FORCE

1. Did defendant Justin Ashe use excessive force against plaintiff John Larkins, or fail to prevent the use of such force, on August 27, 2011?

Yes X No

If you answered YES, proceed to Question 1A.
If you answered NO, proceed to Question 2.

- A. Was the excessive force, or failure to intervene, a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes No X

Proceed to Question 2.

FALSE ARREST / FALSE IMPRISONMENT

2. Did defendant Justin Ashe subject plaintiff John Larkins to false arrest / false imprisonment for Obstructing Governmental Administration and Resisting Arrest on August 27, 2011?

Yes No X

If you answered YES, proceed to Question 2A.
If you answered NO, proceed to Question 3.

- A. Was the false arrest / false imprisonment a proximate cause of mental and/or physical injury to plaintiff John Larkins?

Yes No

Proceed to Question 3.

MALICIOUS PROSECUTION

3. Did defendant Justin Ashe subject plaintiff John Larkins to malicious prosecution for Obstructing Governmental Administration, Resisting Arrest, and / or Assault?

Yes _____ No X _____

If you answered YES, proceed to Question 3A.
If you answered NO, proceed to Question 4.

If you answered NO to 1, 2, and 3, then proceed to the last page and sign the verdict form.

- A. Was the malicious prosecution a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes _____ No _____

Proceed to Question 4.

DAMAGES

ACTUAL DAMAGES

4. Complete this section *ONLY IF* you answered YES to Question 1A, 2A, or 3A, otherwise proceed to Question 5.

Pain and Suffering/Personal Injuries: \$ _____

Mental Anguish and Humiliation: \$ _____

TOTAL Actual Damages: \$ _____

Proceed to Question 6.

NOMINAL DAMAGES

5. Complete this section *ONLY IF* you answered NO to Question 1A, 2A, or 3A, otherwise proceed to Question 6.

Is plaintiff John Larkins entitled to \$1.00 in nominal damages from defendant Justin Ashe?

Yes _____ No X _____

Proceed to Question 6.

PUNITIVE DAMAGES

6. Do you find that plaintiff John Larkins is entitled to punitive damages from defendant Justin Ashe?

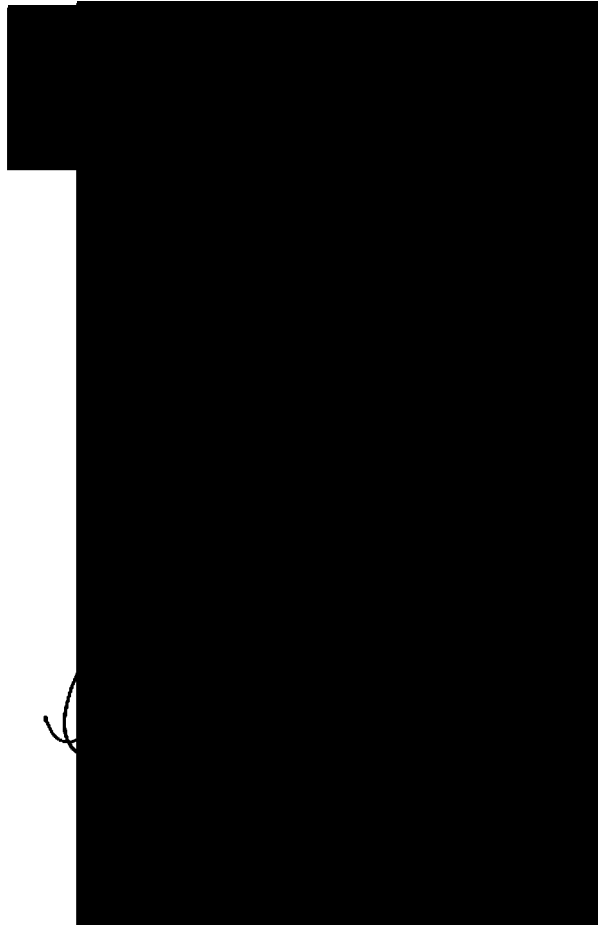
Yes X No

**PROCEED TO THE NEXT PAGE, SIGN IN THE SPACE PROVIDED, AND NOTIFY
THE MARSHAL THAT YOU HAVE REACHED A VERDICT.**

Please sign and date this verdict form.

YOUR VERDICT MUST BE UNANIMOUS.
ALL JURORS MUST SIGN.

Dated: May 21, 2015



Jurors Names Redacted